

REMARKS

At the time of the Fourth Office Action dated November 16, 2006, claims 1-14 were pending and rejected in this application. Claims 1-14 have been cancelled, and claims 15-18 have been added. Applicants respectfully submit that no new matter has been added.

Applicants respectfully submit that imposed combination of Holmberg in view of Rizvi and Helmer fail to render obvious detecting, by the first application server, that the database is not accessible by the first application server, as recited in claim 15. Applicants also respectfully submit that the applied prior art fails to render obvious generating, by the second application server, a response to the request, and forwarding, by the second application, the response to the first application server while the database is not accessible by the first application server, as also recited in claim 15.

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

Although Applicants believe that all claims are in condition for allowance, the Examiner is directed to the following statement found in M.P.E.P. § 706(II):

When an application discloses patentable subject matter and it is apparent from the claims and the applicant's arguments that the claims are intended to be directed to such patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and when possible should offer a definite suggestion for correction. (emphasis added)

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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Respectfully submitted,

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